

**ENTERED**

February 26, 2019

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION

CARROLL RAY LYNN JR.,

§

§

§

VS.

§ CIVIL ACTION NO. M-18-162

§

LORIE DAVIS,

§

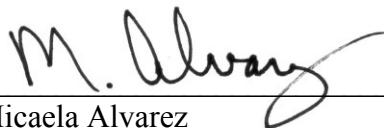
**AMENDED ORDER**  
**ADOPTING REPORT AND RECOMMENDATION**

Petitioner Carroll Ray Lynn has filed a Motion for Class Action Certification, which had been referred to the Magistrate Court for a report and recommendation. On January 28, 2019, the Magistrate Court issued the Report and Recommendation, recommending that Petitioner's motion for class action certification be denied. On February 11, 2019, the Court adopted the Report and Recommendation believing that Petitioner's only response was a request that the case remain on the docket as a 28 U.S.C. § 2254 motion. The docket now reveals that Petitioner timely filed objections to the Report and Recommendation.

Pursuant to 28 U.S.C. § 636(b)(1)(c), the Court has made a de novo determination of those portions of the report to which objections have been made. As to those portions to which no objections have been made, in accordance with Federal Rule of Civil Procedure 72(b), the Court has reviewed the report for clear error. Finding no error whatsoever, the Court again adopts the Report and Recommendation in its entirety. Accordingly, it is hereby ORDERED that Petitioner's Motion for Class Action Certification is **DENIED**.

IT IS SO ORDERED.

DONE at McAllen, Texas, this 26th day of February, 2019.

  
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Micaela Alvarez  
United States District Judge